

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2010-003698

07/23/2010

HON. ANDREW G. KLEIN

CLERK OF THE COURT

C. Vila

Deputy

IN RE THE MARRIAGE OF
SARAH HOUSE LEMASTER

CARISSA K SEIDL

AND

JAMES LEMASTER

JAMES LEMASTER
3609 W MORELOS ST
CHANDLER AZ 85226
AARON T BLASE

DOCKET-FAMILY COURT CCC

MINUTE ENTRY

Courtroom CCB 604

9:30 a.m. This is the time set for Resolution Management Conference with regard to Petitioner's June 2, 2010 Petition for Dissolution of Marriage. Petitioner/Mother, Sarah House LeMaster, is present with counsel, Carissa K. Seidl. Respondent/Father, James LeMaster, is present with counsel, Aaron T. Blase.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Sarah House LeMaster and James LeMaster are sworn.

Discussion is held with the Court.

On request of counsel, and upon agreement of Father,

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IT IS ORDERED that Aaron T. Blase is withdrawn as counsel of record for Respondent/Father.

The Court is advised the parties have reached a complete agreement, which is dictated into the record in the presence of both parties and can be generally summarized as follows:

- Mother shall have sole legal custody of the children, Christopher James LeMaster (DOB: 11/11/2006) and Andrew Joseph LeMaster (DOB: 10/24/2009).
- Father shall have parenting time with Christopher on alternate weekends, and with both children one or two evenings per week.
- Father shall pay child support to Mother in the amount of \$975.46 per month, to commence the month following entry of the Decree.
- Father shall pay spousal maintenance to Mother in the amount of \$1,625 per month, non-modifiable, until the youngest child turns 18, or October 1, 2027.
- On a temporary basis, Mother shall have exclusive use of the marital residence. On or before October 15, 2010, Father will take possession of the residence, so long as he has paid Mother \$85,000 from his retirement account. Upon receipt of the \$85,000, Mother will release all legal claims against Father.
- Father shall be responsible for payment of all credit card debts incurred through the date of dissolution, and shall maintain the mortgage payments.
- Father shall be responsible for the loan against his 401(K) account, and for Mother's student loan.
- Mother shall retain the 2006 van, and Father shall retain the 2010 Jeep. Father shall maintain any debt on the Jeep, and shall pay off the remaining loan balance on Wife's van within 30 days of dissolution.
- Father shall be awarded the remainder of his retirement accounting following distribution of the \$85,000 to Mother.
- Father shall retain his checking and savings accounts as his sole and separate property.
- The parties agree to divide personal property.

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Petitioner and Respondent both testify that they have heard and understood the agreement as dictated into the record, and that this is, in fact, their agreement.

The Court accepts the parties' agreement having found that the parties knowingly, intelligently and voluntarily entered into said agreement and that it is in the best interests of the parties' minor children. Whether the agreement is fair or equitable is not a determination the Court can make as it does not know the facts upon which the Agreement is based. However, the Court is certain that Father wants the Agreement to be binding despite comments from the Court and his counsel that it may be one-sided.

THE COURT FINDS that the parties have entered into a binding Rule 69 agreement, which will be enforceable by the Court consistent with the record made by counsel.

IT IS ORDERED approving and adopting the agreements of the parties pursuant to Rule 69, Arizona Rules of Family Law Procedure.

IT IS FURTHER ORDERED counsel shall submit a Consent Decree for the Court's signature on or before August 31, 2010.

IT IS FURTHER ORDERED approving and settling formal written Qualified Domestic Relations Order, signed by the Court July 23, 2010 and filed (entered) by the clerk on July 23, 2010.

9:54 a.m. Matter concludes.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

/S/ HON. ANDREW G. KLEIN

SUPERIOR COURT JUDGE
HON. ANDREW G. KLEIN

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.